

CLOSED

**U.S. District Court
Northern District of Mississippi (Oxford Division)
CIVIL DOCKET FOR CASE #: 3:18-cv-00026-MPM-JMV**

Seay v. United States Department of Agriculture ("USDA") et al
Assigned to: District Judge Michael P. Mills
Referred to: Magistrate Judge Jane M. Virden
Cause: 05:552fi Freedom of Information Act

Date Filed: 02/01/2018
Date Terminated: 03/07/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Clant M. Seay**

represented by **Clant M. Seay**
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ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Agriculture ("USDA")
1400 Independence Ave., S. W.
Washington, D.C. 20250

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Defendant

Animal and Plant Health Inspection Service ("APHIS")
4700 River Road, Riverdale, MD 20737

represented by **Samuel David Wright**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Davis
(See above for address)
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Date Filed	#	Docket Text
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02/01/2018	<u>1</u>	COMPLAINT, Filing fee \$ 400, receipt number 0537-1516280, filed by Clant M. Seay. (Attachments: # <u>1</u> Exhibit A Credentials, # <u>2</u> Exhibit B Article, # <u>3</u> Exhibit C Order, # <u>4</u> Exhibit D Video, # <u>5</u> Exhibit E E-mail, # <u>6</u> Exhibit F FOIA Request, # <u>7</u> Exhibit G Letter, # <u>8</u> Exhibit H Order, # <u>9</u> Exhibit I Order, # <u>10</u> Exhibit J Records, # <u>11</u> Exhibit K Article, # <u>12</u> Exhibit L E-mails, # <u>13</u> Exhibit M E-mails, # <u>14</u> Exhibit N E-mails, # <u>15</u> Exhibit O Letter, # <u>16</u> Civil Cover Sheet) (tab) (Additional attachment(s) added on 2/2/2018: # <u>17</u> Exhibit P Letter dated 11/17/17) (tab).
02/01/2018	<u>2</u>	Summons Issued as to Animal and Plant Health Inspection Service ("APHIS"), United States Department of Agriculture ("USDA"), U.S. Attorney and U.S. Attorney General. E-mailed to attorney for service. (tab)
02/01/2018		NOTICE OF ASSIGNMENT. Case assigned to Judge Michael P Mills and Magistrate Judge Jane M Virden. (tab)
02/09/2018	<u>3</u>	NOTICE OF CONVENTIONAL FILING of Disk of Exhibit D by Clant M. Seay on behalf of Clant M. Seay. (Seay, Clant)
02/09/2018		Remark: Video disk labeled as Exhibit D received and on file in Oxford clerk's office re <u>3</u> Notice of Conventional Filing (jtm)
02/16/2018	<u>4</u>	SUMMONS Returned Executed by Clant M. Seay on behalf of Clant M. Seay Animal and Plant Health Inspection Service ("APHIS") served on 2/12/2018; United States Department of Agriculture ("USDA") served on 2/12/2018. (Seay, Clant)
02/16/2018	<u>5</u>	SUMMONS Returned Executed by Clant M. Seay on behalf of Clant M. Seay Animal and Plant Health Inspection Service ("APHIS") served on 2/9/2018; United States Department of Agriculture ("USDA") served on 2/9/2018. (Seay, Clant)
02/16/2018	<u>6</u>	SUMMONS Returned Executed by Clant M. Seay on behalf of Clant M. Seay United States Department of Agriculture ("USDA") served on 2/15/2018. (Seay, Clant)
02/16/2018	<u>7</u>	SUMMONS Returned Executed by Clant M. Seay on behalf of Clant M. Seay Animal and Plant Health Inspection Service ("APHIS") served on 2/12/2018. (Seay, Clant)
02/26/2018	<u>8</u>	MOTION for Preliminary Injunction <i>with request it be expedited</i> by Clant M. Seay. (Attachments: # <u>1</u> Exhibit A (Affidavit)) (Seay, Clant)
02/26/2018	<u>9</u>	MEMORANDUM IN SUPPORT re <u>8</u> MOTION for Preliminary Injunction <i>with request it be expedited</i> . (Seay, Clant)
02/27/2018	<u>10</u>	ORDER SETTING HEARING on <u>8</u> MOTION for Preliminary Injunction <i>with request it be expedited</i> filed by Clant M. Seay. Hearing set for 3/22/2018 at 02:00 PM in Oxford Courtroom 3 East before District Judge Michael P. Mills. Signed by District Judge Michael P. Mills on 2/27/2018. (lpm)
02/27/2018	<u>11</u>	NOTICE of Hearing on Motion <u>8</u> MOTION for Preliminary Injunction <i>with request it be expedited</i> : Motion Hearing set for 3/22/2018 2:00 PM in Oxford Courtroom 3 East before District Judge Michael P. Mills. (spw)
03/15/2018	<u>12</u>	NOTICE of Attorney Appearance by Samuel David Wright on behalf of United States Department of Agriculture ("USDA") (Wright, Samuel)
03/15/2018	<u>13</u>	RESPONSE in Opposition re <u>8</u> MOTION for Preliminary Injunction <i>with request it be expedited</i> filed by United States Department of Agriculture ("USDA"). (Wright, Samuel)
03/20/2018	<u>14</u>	NOTICE of Attorney Appearance by Stuart Davis on behalf of All Defendants (Davis, Stuart)
03/21/2018	<u>15</u>	RESPONSE in Opposition re <u>8</u> MOTION for Preliminary Injunction <i>with request it be expedited Supplemental</i> filed by United States Department of Agriculture ("USDA"). (Attachments: # <u>1</u> Exhibit) (Wright, Samuel)
03/21/2018	<u>16</u>	NOTICE OF ISSUANCE of subpoenas upon USDA and Animal and Health Inspection Service (tab) Modified on 3/22/2018 (jla).
03/21/2018	<u>17</u>	NOTICE Cancelling hearing set 3/22/2018 on the Motion for Preliminary Injunction. (spw)

03/21/2018	<u>18</u>	MOTION for Sanctions by Clant M. Seay. (Seay, Clant)
03/29/2018	<u>19</u>	RESPONSE in Opposition re <u>18</u> MOTION for Sanctions filed by Animal and Plant Health Inspection Service ("APHIS"), United States Department of Agriculture ("USDA"). (Wright, Samuel)
03/29/2018	<u>20</u>	MEMORANDUM IN SUPPORT re <u>19</u> Response in Opposition to Motion re <u>18</u> MOTION for Sanctions . (Wright, Samuel) Modified on 8/13/2018 (jla).
04/06/2018	<u>21</u>	ORDER finding as moot <u>8</u> Motion for Preliminary Injunction. Signed by District Judge Michael P. Mills on 4/6/2018. (lpm)
04/09/2018	<u>22</u>	MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Support, <u>19</u> Response in Opposition to Motion re <u>18</u> MOTION for Sanctions by Clant M. Seay. (Seay, Clant) Modified on 8/13/2018 (jla).
04/10/2018		TEXT ONLY ORDER granting <u>22</u> Motion for Extension of Time to File Response/Reply re <u>22</u> MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Support, <u>19</u> Response in Opposition to Motion <i>for Sanctions</i> Replies now due by 4/13/2018 in as much as plaintiff has been granted an additional 8 days. Signed by Magistrate Judge Jane M. Virden on 4/10/18. (JMV)
04/13/2018	<u>23</u>	REPLY to Response to Motion re <u>18</u> MOTION for Sanctions filed by Clant M. Seay. (Seay, Clant)
04/13/2018	<u>24</u>	MEMORANDUM IN SUPPORT re <u>23</u> Reply to Response to Motion re <u>18</u> MOTION for Sanctions filed by Clant M. Seay. (Seay, Clant) Modified on 8/13/2018 (jla).
04/19/2018	<u>25</u>	NOTICE by Samuel David Wright on behalf of Animal and Plant Health Inspection Service ("APHIS"), United States Department of Agriculture ("USDA") <i>of Additional Authorities and Pending Appeal</i> (Wright, Samuel)
05/15/2018	<u>26</u>	INITIAL ORDER – RULE 16.1: Telephonic Case Management Conference set for 4/1/2019 10:00 AM before Magistrate Judge Jane M. Virden. Confidential memos and jointly proposed Case Management Order due no later than 14 days prior to the conference. Signed by Magistrate Judge Jane M. Virden on 5/15/2018. (irw)
05/31/2018	<u>27</u>	NOTICE of Hearing: Evidentiary Hearing set for 6/12/2018 10:00 AM in Greenville Courtroom 2 before Magistrate Judge Jane M. Virden. (irw)
06/05/2018	<u>28</u>	MOTION to Continue <i>Evidentiary Hearing</i> by Clant M. Seay. (Seay, Clant)
06/08/2018		TEXT ONLY ORDER granting <u>28</u> Motion to Continue. The evidentiary hearing will be reset by separate notice. No further written order on the motion will issue from the Court. Signed by Magistrate Judge Jane M. Virden on 6/8/18. (ncb)(no document attached)
06/08/2018	<u>29</u>	NOTICE of Hearing: Evidentiary Hearing RESET for 6/26/2018 02:00 PM in Greenville Courtroom 2 before Magistrate Judge Jane M. Virden. (irw)
06/18/2018	<u>30</u>	PROOF OF SERVICE OF SUBPOENA <i>on USDA–APHIS</i> served on Tonya Woods on 6–11–2018 by Clant M. Seay on behalf of Clant M. Seay. (Seay, Clant)
06/18/2018	<u>31</u>	PROOF OF SERVICE OF SUBPOENA <i>for USDA</i> served on Jean Stephens on 6–11–2018 by Clant M. Seay on behalf of Clant M. Seay. (Seay, Clant)
06/22/2018		JOINT ORAL MOTION to hold 6/26/18 evidentiary hearing telephonically by Animal and Plant Health Inspection Service ("APHIS"), Clant M. Seay, United States Department of Agriculture ("USDA"). (ncb)
06/22/2018	<u>32</u>	ORDER granting joint, oral Motion to hold 6/26/18 evidentiary hearing telephonically. Signed by Magistrate Judge Jane M. Virden on 6/22/18. (ncb)
06/25/2018	<u>33</u>	NOTICE of Hearing: Telephonic Evidentiary Hearing RESET for 6/26/2018 02:00 PM before Magistrate Judge Jane M. Virden. Defendants' counsel must arrange and initiate the call to 662–390–4356. (irw)
06/26/2018	<u>34</u>	Minute Entry for proceedings held before Magistrate Judge Jane M. Virden: Evidentiary Hearing held on 6/26/2018 *Audio Recorded during Proceeding. (Court Reporter Digital) (irw)

06/26/2018	<u>35</u>	NOTICE of Hearing: Evidentiary Hearing set for 7/5/2018 10:00 AM before Magistrate Judge Jane M. Virden. Defendants' counsel must arrange and initiate the call to 662-390-4356. (irw)
07/05/2018		ORE TENUS MOTION for Permission to File Documents Conventionally by Clant M. Seay. (bfg)
07/05/2018		TEXT ONLY ORDER granting Ore Tenus Motion for Permission to File Documents Conventionally. No further written order shall issue from the court. Signed by Magistrate Judge Jane M. Virden on 7/5/18. (bfg)(no document attached)
07/05/2018	<u>36</u>	Supplemental RESPONSE in Support re <u>18</u> MOTION for Sanctions filed by Clant M. Seay. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (jtm)
07/05/2018	<u>37</u>	Minute Entry for proceedings held before Magistrate Judge Jane M. Virden: Evidentiary Hearing held on 7/5/2018 *Audio Recorded during Proceeding. (irw)
07/11/2018	<u>38</u>	Supplement to Motion re <u>18</u> MOTION for Sanctions filed by Clant M. Seay. (Attachments: # <u>1</u> Affidavit Affidavit, # <u>2</u> Exhibit Email – MS State Bar, # <u>3</u> Exhibit Article – BillyGoBoy.Com) (Seay, Clant)
09/05/2018	<u>39</u>	REPORT AND RECOMMENDATIONS re <u>18</u> MOTION for Sanctions filed by Clant M. Seay. Objections to R&R due by 9/19/2018. Signed by Magistrate Judge Jane M. Virden on 9/5/18. (ncb)
09/17/2018	<u>40</u>	MOTION for Extension of Time to <i>File Response to Magistrate Judge's Report and Recommendation</i> by Clant M. Seay. (Seay, Clant)
09/19/2018	<u>41</u>	ORDER granting <u>40</u> Motion for Extension of Time. Signed by District Judge Michael P. Mills on 9/18/2018. (lpm)
09/19/2018		Set/Reset Deadlines as to Objections to <u>39</u> REPORT AND RECOMMENDATIONS re <u>18</u> MOTION for Sanctions filed by Clant M. Seay. Responses due by 10/10/2018 (lpm)
10/04/2018		Set/Reset Deadlines: Objections to R&R due by 10/10/2018 (jla)
10/10/2018	<u>42</u>	MOTION for Extension of Time to <i>File Objections re 39 Report and Recommendation</i> by Clant M. Seay. (Seay, Clant) Modified on 10/12/2018 (jla).
10/22/2018	<u>43</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS and Granting in Part and Denying in Part <u>18</u> Motion for Sanctions filed by Clant M. Seay. Signed by District Judge Michael P. Mills on 10/22/2018. (lpm)
10/22/2018	<u>44</u>	ORDER dismissing <u>42</u> Motion for Extension of Time. Signed by District Judge Michael P. Mills on 10/22/2018. (lpm)
11/07/2018		NOTICE Cancelling Case Management Conference re <u>26</u> Initial Order – Rule 16.1; case stayed. (No document attached) (irw)
12/27/2018	<u>45</u>	NOTICE by Samuel David Wright on behalf of Animal and Plant Health Inspection Service ("APHIS"), United States Department of Agriculture ("USDA") (Attachments: # <u>1</u> Exhibit Opinion) (Wright, Samuel)
01/04/2019		TEXT ONLY ORDER LIFTING STAY by operation of Order <u>43</u> . No further written order will issue. Signed by Magistrate Judge Jane M. Virden on 1/4/19. (ncb)(no document attached)
03/07/2019	<u>46</u>	AGREED ORDER AWARDING COSTS AND DISMISSING CASE. CASE CLOSED. Signed by District Judge Michael P. Mills on 3/7/2019. (lpm)